

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECOND AMENDMENT ARMS ET AL)

Plaintiffs,)

v.)

CITY OF CHICAGO ET AL)

Defendants.)

**Case No. 10-C-4257
Judge Robert M. Dow, Jr.**

**AGREED MOTION FOR AN EXTENSION OF TIME
TO FILE SUPPLEMENTAL REPLY BRIEFS ON SUMMARY JUDGMENT**

With agreement of Plaintiffs, Defendant City of Chicago (the “City”), by its counsel, hereby respectfully moves this Court for a one-week extension of time for the parties to file their respective Supplemental Reply Briefs in response to the Court’s Memorandum Opinion and Order for supplemental briefing. The City and Plaintiffs ask the Court to extend the current due date by one week, to August 27, 2020, for both parties to file their respective supplemental reply briefs on the nominal damages and laser sight ban issues identified by the Court in its March 10, 2020 Memorandum Opinion and Order. In support of this motion, the parties state as follows:

1. On March 10, 2020, the Court issued its order granting the City’s motion to exclude the testimony of Plaintiffs’ expert, and denying without prejudice and subject to further supplemental briefing on the City’s motion for summary judgment with respect to Counts I and III.

2. As part of its Order, the Court directed each party to file a supplemental brief on the nominal damages and laser sight ban issues by March 30, 2020 and a supplemental reply brief by April 20, 2020.

3. The combined effect of Chief Judge Pallmeyer's subsequent General Orders regarding Covid-19, and other briefing extensions granted by this Court, moved the due date for the Parties' supplemental briefs to July 16, 2020 and supplemental replies to August 6, 2020. Both parties filed their respective opening Supplemental Briefs on July 16, 2020. The Court subsequently extended the due date for reply briefs to August 20, 2020.

4. The City and Plaintiffs respectfully request an extension of one additional week for the parties to file their respective Supplemental Reply briefs to August 27, 2020. An extension of time is warranted due to counsels' obligations in other cases and matters, including on the City's part the preparation of pleadings, briefs, and extensive written discovery in other actions and complex matters, and advising City officials on issues related to, and complicated by, the Covid-19 pandemic as well as recent civil demonstrations and their impact on essential City services. This motion is not intended to delay the proceedings, and no party will be prejudiced by the Court's granting of this motion.

5. Counsel for the City has consulted with Plaintiffs' counsel, and Plaintiffs' counsel has agreed to the requested extension and revised briefing schedule.

WHEREFORE, for the foregoing reasons, the parties respectfully request that the Court grant an extension of time for the parties to file their Supplemental Reply Briefs up to and including August 27, 2020.

Respectfully submitted,

MARK A. FLESSNER,
Corporation Counsel for the City of Chicago

By: /s Thomas P. McNulty
Senior Counsel

Date: August 17, 2020

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CERTIFICATE OF SERVICE

I, Thomas P. McNulty, an attorney, hereby certify that on this, the 17th day of August, 2020, I caused copies of (1) **Agreed Motion for an Extension of Time to File Supplemental Reply Briefs** and (2) **Notice of Unopposed Motion for Extension** to be served by electronic case filing (ECF) on counsel for Plaintiffs.

/s/ Thomas P. McNulty